

Five-Year Review for the Thunder Bay National Marine Sanctuary and Underwater Preserve

Overview

NOAA designated the Thunder Bay National Marine Sanctuary and Underwater Preserve (NMS&UP) on October 7, 2000. The Sanctuary is jointly managed with the State of Michigan to protect and interpret a nationally significant collection of shipwrecks.

The Memorandum of Agreement (MOA) between the Thunder Bay NMS&UP and the State of Michigan “requires that in the first five-year review, the Secretary of Commerce will re-propose the designation of the Sanctuary/Preserve, Management Plan, and the regulations in their entirety.” NOAA and the State will provide the public with a review and comment period and hold a public meeting to hear views on how the Thunder Bay NMS&UP is being managed. NOAA will also consult with the Sanctuary Advisory Council to solicit its views. NOAA will then provide the Governor with a re-proposal of the Thunder Bay NMS&UP for her consideration. Key dates are identified below:

Timeline

July 12, 2005	NOAA and the State hold a public meeting at the July 12 Sanctuary Advisory Council meeting.
July 26, 2005	Public comment period closes.
August 2005	NOAA submits a report with supporting documentation (e.g., summary of public comments) to the Governor.

Frequently-asked Questions and Answers

1. Why does the sanctuary need to be re-proposed to the Governor?

In 2000 when the Thunder Bay National Marine Sanctuary and Underwater Preserve was designated, NOAA agreed to re-propose the sanctuary to the State of Michigan after five years. The sanctuary’s fifth year anniversary is October 7, 2005. The re-proposal provides the Governor of Michigan with the opportunity to determine if the State will continue the sanctuary designation.

2. What actions can the Governor can take?

The Governor can inform NOAA that she wishes to continue the designation or indicate she that wishes to terminate the sanctuary. Because of the wording in the Memorandum

of Agreement between NOAA and the State, if the Governor takes no action, the sanctuary designation continues.

3. When will the Governor be making the decision?

In August 2005, NOAA will re-propose the sanctuary to the State. The Governor will likely make a decision by this fall.

4. Will there be any changes to the sanctuary regulations or boundary as part of the re-proposal?

No. NOAA is not proposing any changes to the sanctuary at this time.

5. How could future changes be proposed to the sanctuary and how would the public be involved?

Future changes to the sanctuary boundary or regulations will most likely result from one of the periodic "management plan reviews." The first management plan review is scheduled to begin in fall 2005. Management plans are site-specific documents that set site priorities, make recommendations for regulatory changes, and guide programs such as education and research. Management plans are reviewed to ensure they are up-to-date and address current management issues.

Management plan reviews should take between 12 to 18 months and involve extensive public participation and coordination with the Sanctuary Advisory Council, local governments and state agencies. Per the MOA, changes to sanctuary regulations or boundary can only take place with the governor's approval. NOAA will provide more information on the management plan review schedule and process this fall.

6. When the sanctuary was designated in 2000, what did NOAA and the State agree that the sanctuary could NOT do?

As agreed upon by NOAA and the State of Michigan in 2000, the sanctuary does **NOT** :

- regulate fishing activities
- establish "no-fishing" zones
- impose boating restrictions
- limit access to dive sites
- charge fees to sanctuary users
- alter State sovereign rights or the rights of property owners.

NOAA is not proposing to change these as part of the reproposal.

7. Where can I get copies of the Memorandum of Agreement and the regulations?

The Memorandum of Agreement and the regulations are available at the following locations or websites:

- ❑ The sanctuary office at 145 Water Street in Alpena (or new address?)
- ❑ The Alpena County Library at 211 N. First Street in Alpena
- ❑ The Michigan Department of History, Arts and Libraries website: www.michigan.gov/hal
- ❑ The Thunder Bay NMS&UP website: www.thunderbay.noaa.gov

8. When and where is the public meeting?

On July 12, 2005 at 6:00 p.m., NOAA and the State will hold a public meeting to provide the public with an opportunity to provide their views on the sanctuary. The public meeting will be held at the Alpena County Library during the regularly scheduled Sanctuary Advisory Council. The meeting will begin with a short presentation by sanctuary staff.

9. Can the public provide written comments?

NOAA and the Michigan's Department of History, Arts and Libraries (HAL) are accepting written public comment until July 26, 2005 on whether the sanctuary designation should continue. Comments should be sent to:

Thunder Bay National Marine Sanctuary and Underwater Preserve
Attention: Public Comment
145 Water Street
Alpena, MI 49707

Or email comments to:
thunderbay@noaa.gov